



Order Filed on February 10, 2017
by Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)
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In Re:

BRIAN G. FLUELLEN

Debtor.

Case No.: **15-31758 (JKS)**

Hearing Date: December 8, 2016 @ 11:00 a.m.

Judge: John K. Sherwood, U.S.B.J.

**ORDER GRANTING APPROVAL OF ENTRY OF LOSS MITIGATION PROGRAM
PURSUANT TO SECTION V, 1(b)**

The relief set forth on the following pages, numbered two (2) through (4) is hereby
ORDERED.

DATED: February 10, 2017



Honorable John K. Sherwood
United States Bankruptcy Court

Debtor: BRIAN G. FLUELLEN

Case No.: 15-31758

Caption of Order: ORDER GRANTING APPROVAL OF ENTRY LOSS MITIGATION PROGRAM PURSUANT TO SECTION V, 1(b)

Upon the Motion of Steven D. Pertuz, Esq., on behalf of the debtor, Brian G. Fluellen (hereinafter collectively "Movant"), under Loss Mitigation Program and Procedures Section V, 1(b) to seek approval of entry of Loss Mitigation Program as hereinafter set forth, and the Court having considered the papers submitted in support of and in opposition to the Motion; and for good cause shown,

ORDERED as follows:

1. The debtor's request to participate in the Court's Loss Mitigation Program is granted as it pertains to 32 Richard Street, Jersey City, NJ 07305, and:
 - The debtor and creditor, PNC Mortgage, are directed to participate in Loss Mitigation and are bound by the court's Loss Mitigation Program and Procedures (LMP).
 - The Loss Mitigation process shall terminate on 5/10/17 (90 days from the date of the entry of this order, unless extended as set forth in Section IX.B. of the LMP).
 - The debtor must make adequate protection payments to the creditor during the Loss Mitigation Period in the amount of \$1,500.00. See Sections V.A.1.a and VII.B. of the LMP.
 - If a relief from stay motion pursuant to section 362(d) is pending upon entry of this Order or if such a motion is filed during the loss mitigation period, the court may condition the stay upon compliance by the debtors with the fulfillment of the debtor's obligations under the Loss

Mitigation Order. If the debtor fail to comply with the loss mitigation process and this Order, the creditor may apply to terminate the Order as specified in Section IX.C of the LMP and to obtain relief from the stay.

- Within 14 days of termination of the loss mitigation period, the debtors must file with the court and serve all interested parties, the Local Form, Loss Mitigation Final Report as set forth in Section VII.C. of the LMP.
- Extension of the LMP may be requested as specified in Section IX.B of the LMP.

2. It is ORDERED that parties shall utilize the Loss Mitigation Portal during the Loss Mitigation Period, and it is further ORDERED that:

- Within 14 days of the date of this order, the creditor shall ensure that it is registered on the loss mitigation portal and that all of its initial loss mitigation document requirements are available on the portal.
- Within 35 days of the date of this order, the debtors shall upload and submit through the loss mitigation portal a completed Creditor's Initial Package.
- Within 10 business days of the debtors' submission of the Creditor's Initial Package, the creditor shall acknowledge receipt of same and designate the single point of contact for debtors' review.

3. It is ORDERED that within 14 days of the date of this order, the creditor shall designate a single point of contact, including the name and contact information of the contact and shall specify to the debtors the forms and documentation the creditor requires to initiate a review of the debtors' loss mitigation options.

- Within 21 days after receipt of the creditor's specifications regarding forms and documentation, the debtors shall provide the requested information.
 - Within 10 business days of the debtors' submission, the creditor shall acknowledge receipt of the documentation.
4. The Movant shall serve this Order on the Chapter 13 Trustee, counsel for PNC Mortgage and any other party who entered an appearance on the motion.